

**United States District Court**  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

**DANIELLE D’VONNE SPOSITO,**

**Plaintiff,**

**v.**

**CYNTHIA MCCRANN WHELESS, *et*  
*al.*,**

**Defendants.**

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**Civil Action No. 4:22-cv-685-ALM-KPJ**

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge in this action (the “Report”) (Dkt. #31), this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. In the Report, the Magistrate Judge recommended Plaintiff’s lawsuit be dismissed without prejudice as the Court lacked subject-matter jurisdiction pursuant to Eleventh Amendment immunity and the *Younger* abstention doctrine. The Magistrate Judge further recommended that, even if the Court had subject-matter jurisdiction, Plaintiff’s claims should be dismissed with prejudice on the basis of judicial immunity. Plaintiff then filed an Objection (Dkt. #32) to the Report.

The Court has conducted a *de novo* review of the Objection and is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the Objection is without merit as to the ultimate findings of the Magistrate Judge. Accordingly, Plaintiff’s Objection (Dkt. #32) is **OVERRULED** and the Magistrate Judge’s Report is **ADOPTED** as the findings and conclusions of the Court.

**IT IS THEREFORE ORDERED** that Plaintiff's lawsuit is **DISMISSED WITHOUT PREJUDICE**. All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

**IT IS SO ORDERED.**

**SIGNED this 10th day of July, 2023.**

A handwritten signature in black ink, reading "Amos Mazzant", written over a horizontal line.

AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE